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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE JOHN A. HOUSTON)

UNITED STATES OF AMERICA, Plaintiff, v. ABEL AREVALOS-BARRIOS, Defendant.	CASE NO: 08CR0324-JAH DATE: April 1, 2008 TIME: 8:30 a.m. NOTICE OF MOTIONS AND MOTIONS TO: 1) COMPEL DISCOVERY AND PRESERVE EVIDENCE; 2) DISMISS INDICTMENT FOR FAILURE TO ALLEGE ESSENTIAL ELEMENTS OF THE OFFENSE; 3) GRANT LEAVE TO FILE FURTHER MOTIONS.

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND
STEVEN DESALVO, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on April 1, at 8:30 a.m., or as soon thereafter as counsel may be heard, defendant, Able Arevalos-Barrios, by and through his attorneys, Leila W. Morgan and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

/ / /

MOTIONS

Defendant, Abel Arevalos-Barrios, by and through his attorneys, Leila W. Morgan and Federal Defenders of San Diego, Inc., asks this Court pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to:

(1) Compel Discovery and Preserve Evidence;

(2) Dismiss Indictment for Failure to Allege Essential Elements of the Offense;

(3) Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: April 1, 2008

s/ Leila W. Morgan

LEILA W. MORGAN
Federal Defenders of San Diego, Inc.
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